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SPECIAL COMMITTEE ON THE CHARTER OF
THE UNITED NATIONS AND ON THE
STRENGTHENING OF THE ROLE OF THE
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27 February-10 March 1995

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# Draft resolution on the question of the deletion of the "enemy-State" clauses from the Charter of the United Nations

The General Assembly,

Recalling its resolution 49/58 of 9 December 1994,

Having considered the report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization, which met in New York from 27 February to 10 March 1995,

Taking note of the recommendation of the Special Committee on the most appropriate legal action to be taken on the question of the deletion of the "enemy-State" clauses from the Charter of the United Nations,

Noting that those provisions have never been invoked,

Noting also that States to which those provisions were directed have been admitted to the United Nations and are peace-loving Members of the Organization which contribute in the most valuable manner to all its endeavours,

1. Recognizes that the "enemy-State" clauses of the Charter of the United Nations, namely the latter part of the second sentence of Article 53.1, Article 53.2 and Article 107, as strictly related to the immediate post-Second World War era have become obsolete and not applicable;

2. Recognizes also that maintenance of those clauses in the Charter of the United Nations is not in conformity with the substantial changes that have taken place in the world and within the Organization;

3. Expresses the view that these clauses should be deleted as soon as possible by using the amendment procedure set out in Article 108 of the Charter.

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